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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/628,825 | 07/28/2003 | Ramabadran S. Raghavan | LUCW:0002 | 3721 |

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EXAMINER

FERGUSON, KEITH

| ART UNIT | PAPER NUMBER |
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2683

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/628,825 | Applicant(s) RAGHAVAN ET AL. | |
| | Examiner Keith T. Ferguson | Art Unit 2683 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8,12,15-18,21-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al, newly recited reference.

The claimed invention reads on Chen et al. as follows:

Regarding claims 1-8,12, Chen et al. discloses a wireless communications system (fig. 1) comprising at least one transceiver unit (base station)(tower)(structured transceiver)(building) adapted to communicate over an air

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interface (fig. 2 number 208) with portable communications (devices mobile station)(portable device) (cellular telephone)(paragraph 0022 lines 1-8) and adapted to communicate over an undedicated public network (internet IP network)(service network) (fig. 6 number 604 and paragraph 0039); and an access network unit (base station controller) adapted to communicate with the at least one transceiver unit over the public network (internet IP network) (paragraph 0019 lines 1-11 and paragraph 0039 line 1 through paragraph 0050 line 6).

Regarding claims 15 and 22, Chen et al. discloses an access network unit (base station controller) (fig. 1 number 110) for use with a wireless communications system (fig. 1), the access network unit comprising a communication interface (forward dedicated channel or forward shared channel)(fig. 1) to facilitate communication between the access network unit (fig. 1 number 110) and at least one transceiver unit (fig. 1 number 104) over an undedicated public network (IP network)(internet) (fig. 1 number 108).

Regarding claims 16-18, Chen et al. discloses a session initiation protocol (SIP) (paragraph 0020) and an IP address of the at least one transceiver unit (paragraph 0020).

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Regarding claim 21, Chen et al. discloses one protocol layer encapsulates User datagram protocol (UDP) (higher layer protocol information) to facilitate protocol requirements of the public network (paragraph 0020).

Regarding claim 23, Chen et al. discloses a transceiver server (BSC) (fig. 1 number 110) adapted to communicate with the at least one transceiver unit (fig. 1 number 104) over the IP network (public network) (fig. 1 number 108); and a packet control function (PCF) (fig. 1 number 112) (access network controller) adapted to communicate with the (BSC) (transceiver server) (fig. 1 number 110) and with a packet data network (PDSN) (services network) (fig. 1 number 106).

Regarding claims 24-27, Chen et al. discloses a SIP (one protocol layer) between the transceiver server and the access network controller (paragraph 0019 through paragraph 0020).

Regarding claims 28 and 29, Chen et al. discloses a method (fig. 6) of communicating in a wireless communications system (fig. 1), the method comprising the act of: communicating information over an IP Network (internet) (undedicated public

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network) between at least one transceiver unit (base station) which is adapted to communicate over an air interface with portable communications devices (paragraph 0019 line 1 through paragraph 0022 line 6), and base station controller (access network unit), which is adapted to process information communicated with the at least one transceiver unit (inherent, in wireless communication for a base station controller to communicate with a base station) (paragraph 0042 through paragraph 0043).

Regarding claim 30, Chen et al. discloses a session initiation protocol (SIP) (protocol layer) adapted to facilitate communication over the public network (paragraph 0020).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Yuhara et al..

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Regarding claim 9, Chen et al. discloses a wireless communications system as discussed supra in claims 1 and 7 above. Chen et al. differs from claim 9 of the present invention in that it does not disclose a vehicle having at least one of a mobile telephone and a navigation system. Yuhara et al. teaches a vehicle having a cellular telephone and a GPS navigation system (paragraph 0034 and paragraph 0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with a vehicle having at least one of a mobile telephone and a navigation system in order for communication system to provide navigational group call directions to the wireless mobile stations so that the wireless communication stations to have a plan rout to a group meeting destination, as taught by Yuhara et al..

Regarding claim 11, Chen et al. discloses a wireless communications system as discussed supra in claim 1 above. Chen et al. differs from claim 11 of the present invention in that it does not disclose a satellite system adapted to facilitate communications between the at least one transceiver unit and the access network unit. Yuhara et al. teaches a satellite system adapted to facilitate communications between a satellite transmitter and a server (fig. 3 numbers 308,310 and 302). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with a satellite system adapted to facilitate communications between the at least one transceiver unit and the access network unit in order to provide communication system to provide a data group call session over a very large area, as taught by Yuhara et al..

6. Claims 10,13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Chang et al..

Regarding claim 10, Chen et al. discloses a system as discussed supra in claims 1 and 7 above. Chen et al. differs from claim 10 of the present invention in that it does not disclose the portable communications device comprises a computer having a wireless modem. Chang et al. teaches a system comprising a mobile station (computer) having a modem (col. 1 lines 40-43). Therefore, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to modify Chen et al. with the portable communications device comprises a computer having a wireless modem in order for the system to provide the communication devices that are notebook computers a group call data session using the internet, as taught by Chang et al..

Regarding claims 13 and 14, Chen et al. discloses a wireless communications system as discussed supra in claims 1 and 12 above. Chen et al. differs from claims 13 and 14 of the present invention in that it does not disclose the services network comprises a mobile switching center or a publicly switched telephone network. Chang et al. teaches a services network (mobile switching center) and a publicly switched telephone network (PSTN) (fig. 2 number 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with the services network comprises a mobile switching center or a publicly switched telephone network in order for the system to provide a voice over data internet group call session to the wireless devices, as taught by Chang et al..

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Zhigang.

Regarding claim 19, Chen et al. discloses an access network unit as discussed supra in claims 15 and 16 above. Chen et al. differs from claim 19 of the present invention in that it does not disclose the protocol layer provides security information to the at least one transceiver unit to facilitate secure communication over the public network. Zhigang teaches a Transport layer security which provides security within a mobile station transport connection (paragraph 0036). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with the protocol layer provides security information to the at least one transceiver unit to facilitate secure communication over the public network in order for the base station controller to provide a secure link to the mobile station when an internet group call session is requested, as taught by Zhigang.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. in view of Ahmed et al..

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Regarding claim 20, Chen et al. discloses an access network unit as discussed supra in claims 15 and 16 above. Chen et al. differs from claim 20 of the present invention in that it does not disclose the protocol layer negotiates quality of service for communications with the at least one transceiver unit over the public network. Ahmed et al. teaches a Mac Layer protocol negotiates quality of service for resources during a call in a mobile environment (paragraph 0048). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chen et al. with the protocol layer negotiates quality of service for communications with the at least one transceiver unit over the public network in order for the base station controller to set up a data group call session with the IP network when reliable communication is needed, as taught by Ahmed et al..

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

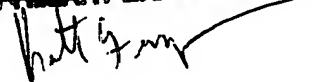
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
December 29, 2005

KEITH FERGUSON
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Keith Ferguson", with a long horizontal line extending to the right.